IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.6758 OF 2002

Karanja Bunder Kinara (Samudra Kinara)
Bachav Samiti & Ors. : Petitioners
V/s.
The State of Maharashtra & Ors. : Respondents

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Ms Leena Patil instrtucted by Mr. P. M. Pradhan for the petitioners.
Mr.P. M. Patil, Assistant Government Pleader for respondent Nos.1 to 3.
Mr. R. S. Desai instructed by Mr. N. B. Shah for respondent No.5.

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With

WRIT PETITION NO.866 OF 2005

Sadanand Parshuram Nakhawa : Petitioner
V/s.
Tahsildar, Uran, District Raigad & Ors. : Respondents

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Mr. R. S. Desai for the petitioner.
Mr. P. M. Patil, Assistant Government Pleader for the Respondents.

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CORAM : DALVEER BHANDARI, C.J. &
S.A. BOBDE, J.

DATE : MARCH 2, 2005.

P.C.:

1. The petitioner has prayed that the respondents be directed to take action as contemplated by notice dated 7.6.2001

issued by respondent no.2, the Tahsildar, Uran, Dist. Raigad. The petitioner has further prayed that respondent no.5 be directed to remove the illegal construction in CRZ area.

2. In reply, respondent no.5 submitted that the structure of 23' x 27' is about 40 years old and is used for fishing and drying purposes and also for repairing fishing boats.

3. Respondent No.5 -- Sadanand Parshauram Nakhawa -- has filed a separate petition, being Writ Petition No.866 of 2005 before this Court. The subject-matter of that petition is also the same because in that petition, the prayer of the petitioner, Sadanand Parshuram Nakhawa, is to regularise his structure at Port Karanja, taluka Uran, dist. Raigad. Mr.Desai, learned counsel appearing for the petitioner in Writ Petition No.866 of 2005 has submitted that the petitioner has submitted a representation to the concerned Minister on 21.6.2001 in which he has prayed that his construction be regularised. That Petition is not listed today before us. Hence, at the request of the learned

counsel for the parties, the same is taken on board and is disposed of along with Writ Petition No.6758 of 2002.

4. Both the parties pray that the representation pending before the Minister be decided expeditiously.

5. Since the representation is dated 21.6.2001 and has not been disposed of for quite sometime, we request the concerned Minister to dispose of the representation by a reasoned order, after hearing the petitioner in Writ Petition No.6758 of 2002 and the petitioner in Writ Petition No.866 of 2005, Sadanand Parshuram Nakhawa. We direct the petitioners in both the Petitions and the Respondents to appear before the concerned Minister on 11.3.2005 at 11 a.m., and on subsequent dates when the matter is kept for hearing. No further directions are necessary. Both Writ Petition Nos.6758 of 2002 and 866 of 2005 are, accordingly, disposed of.

Sd/-

CHIEF JUSTICE

Sd/-

S.A. BOBDE, J.